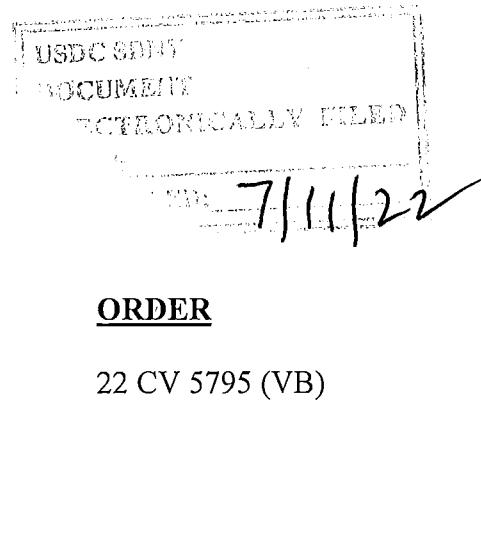


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
 VINCENTE CRUZ, individually and on behalf
 of others similarly situated, :
 Plaintiff, :
 :
 v. :
 :
 PARKVIEW HOUSE RESTAURANT & :
 TAVERN INC., d/b/a Parkview House :
 Restaurant & Tavern, :
 Defendant. :
 -----x

ORDER

22 CV 5795 (VB)

Plaintiff brings this wage-and-hour action on behalf of a putative collective and class.

Pursuant to 28 U.S.C. § 1331(b), a civil case may be brought in:

- (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;
- (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of property that is the subject of the action is situated; or
- (3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

A district court may dismiss any case for improper venue or, "if it be in the interest of justice, transfer such case to any district . . . in which it could have been brought." 28 U.S.C. § 1406(a).

Here, plaintiff does not allege any details about his own residence, but he does allege that he was employed by defendant Parkview House Restaurant & Tavern, Inc., located at 23 Main Street in Wallkill, New York 12589. (Doc. #1 ¶ 3). That location is in Ulster County, which is in the Northern District of New York. Thus, it appears defendant resides in the Northern District of New York, and that a substantial part of the events giving rise to plaintiff's claims arose in the Northern District of New York.

Accordingly, by **July 15, 2022**, plaintiff's counsel shall submit a letter that either acknowledges this case should be transferred to the Northern District of New York or explains in detail why the case is properly venued in the Southern District of New York.

Dated: July 11, 2022
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge